

**Amendment No. 2 to HB0121**

**Fitzhugh**  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 442**

**House Bill No. 121\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 53, Chapter 10, Part 2, is amended by adding the following as a new section:

53-10-210.

(a) As used in this section:

(1) "Anti-epileptic drug" means:

(A) Any drug prescribed for the treatment of epilepsy; or

(B) A drug used to treat or prevent seizures

(2) "Epilepsy" means a neurological condition characterized by recurrent seizures.

(3) "Seizure" means a brief disturbance in electrical activity of the brain.

(4) "Interchange" means the dispensing of one (1) manufacturer of an anti-epileptic drug for a different manufacturer of an anti-epileptic drug for which the patient is currently receiving therapy. This includes the substitution of a generic version for a brand version, a brand version for a generic version, or a generic version for a generic version by a different manufacturer.

(b) A pharmacist, pharmacy intern or pharmacy technician must provide notification to the patient, a family member, other relative, or a close personal friend of the individual or any other person identified by the patient before interchanging one manufacturer of an anti-epileptic drug for another manufacturer of an anti-epileptic drug in instances where said patient's epilepsy or seizures is currently being controlled on a specific drug, strength, dosage

form, and dosing regimen from a specific manufacturer. The prescriber of said medication must also be notified prior to the interchange.

SECTION 2. Tennessee Code Annotated, Section 53-10-204(a), is amended by deleting the word "or" at the end of the subdivision (1); by deleting the word "or" at the end of subdivision (2) and substituting instead a semi-colon and the word "or"; and by adding the following language as a new subdivision to be designated as follows:

(3) The provisions of Section 53-10-210 concerning notification to the patient and the prescriber have not been complied with in instances involving an anti-epileptic drug.

SECTION 3. The general assembly hereby finds, determines and declares this act is necessary for the immediate preservation of the public peace, health and safety.

SECTION 4. This act shall take effect July 1, 2007, the public welfare requiring it.